

**PLANNING AND ZONING COMMISSION  
WEDNESDAY, JUNE 5, 2013 AT 7:00 PM**

**MEETING MINUTES**

**A. CALL TO ORDER**

The Round Rock Planning and Zoning Commission met in Regular Session on June 5, 2013 in the Round Rock City Council Chambers located at 221 East Main Street. With a quorum present, Chairman Al Kosik called the meeting to order at 7:02 p.m.

**B. ROLL CALL**

Present for roll call were, Chairman Al Kosik, Vice Chair David Pavliska, Commissioner Peter Drapes, Commissioner Rene Flores, Commissioner Frank Leffingwell, Commissioner Will Peckham and Commissioner Larry Yawn. Commissioner Michael Morales was absent from this meeting.

Planning and Development Services Department staff included Brad Wiseman, Susan Brennan, Joelle Jordan, Clyde von Rosenberg, Steve Hopkins, Bradley Dushkin, Aneil Naik, and Diane Buck. John Dean from Transportation, David Buzzell from PARD and Charlie Crossfield from the City's attorney's office, were also present.

**C. CONSENT AGENDA:**

**C1. Consider approval of the minutes for the May 15, 2013, regular Planning and Zoning Commission meeting.**

**Motion:** Motion by Vice Chair Pavliska, second by Commissioner Drapes to approve the revised minutes, as presented.

**Vote: AYES:** Chairman Kosik, Vice Chair Pavliska, Commissioner Drapes, Commissioner Flores, Commissioner Leffingwell, Commissioner Peckham and Commissioner Yawn. Vote to approve: 7 - 0. The motion carried unanimously.

**D. PLATTING AND ZONING:**

**D1. Consider approval of the Preliminary Plat of RRISD Success High School (generally located on the north side of Gattis School Rd east of S. Mays St.), Case No. PP1305-001**

Mr. von Rosenberg gave a brief overview of the Preliminary Plat application noting staff recommended approval as conditioned. Ms. Jana Rice with Cunningham and Allen stated she was available to answer questions.

Following the discussion, a motion was offered.

**Motion:** Motion by Commissioner Leffingwell, second by Commissioner Peckham to approve as conditioned.

**Vote: AYES:** Chairman Kosik, Vice Chair Pavliska, Commissioner Drapes, Commissioner Flores, Commissioner Leffingwell, Commissioner Peckham and Commissioner Yawn. Vote to approve: 7 - 0. The motion carried unanimously.

**D2. Consider approval of the Final Plat of RRISD Success High School (generally located on the north side of Gattis School Rd east of S. Mays St.), Case No. FP1305-002**

Mr. von Rosenberg reviewed the Final Plat application noting staff recommended approval as conditioned. Ms. Jana Rice stated she was available to answer questions. The relevance of Note 8 was discussed. Mr. von Rosenberg and Ms. Rice stated they would research and adjust the plat accordingly. A fourth conditioned was added which would read, "Determine if Note No. 8 on Page 2 is required; remove it if it is not."

Following the discussion, a motion was offered.

**Motion:** Motion by Commissioner Leffingwell, second by Commissioner Drapes to approve as conditioned.

**Vote: AYES:** Chairman Kosik, Vice Chair Pavliska, Commissioner Drapes, Commissioner Flores, Commissioner Leffingwell, Commissioner Peckham and Commissioner Yawn. Vote to approve: 7 - 0. The motion carried unanimously.

**D3. Consider approval of the Final Minor Plat of Central Rock Subdivision (generally located on the northwest corner of IH-35 and McNeil Rd.), Case No. FP1305-004**

Mr. Hopkins reviewed the Minor Plat application noting staff recommended approval as conditioned. Mr. Terry Hagood with Hagood Engineering Associates stated he was available to answer questions.

With there being no questions or comments, a motion was offered.

**Motion:** Motion by Vice Chair Pavliska, second by Commissioner Peckham to approve as conditioned.

**Vote: AYES:** Chairman Kosik, Vice Chair Pavliska, Commissioner Drapes, Commissioner Flores, Commissioner Leffingwell, Commissioner Peckham and Commissioner Yawn. Vote to approve: 7 - 0. The motion carried unanimously.

**D4. Consider approval of the Final Minor Plat of Galloping Road Center (generally located on the north side of Emmanuel St. west of Chisholm Trail Rd.), Case No. FP1305-001**

Mr. Hopkins reviewed the Minor Plat application noting staff recommended approval as conditioned.

Following the discussion, a motion was offered.

**Motion:** Motion by Commissioner Leffingwell, second by Commissioner Flores to approve as conditioned.

**Vote: AYES:** Chairman Kosik, Vice Chair Pavliska, Commissioner Drapes, Commissioner Flores, Commissioner Leffingwell, Commissioner Peckham and Commissioner Yawn. Vote to approve: 7 - 0. The motion carried unanimously.

**D5. Consider public testimony and approval of the Replat of Lots 2A, 4A, 6A and 7A, Block A, Chandler Road Retail Subdivision to be known as University Commons (generally located on the northeast corner of IH-35 and University Blvd.), Case No. FP1305-003**

Mr. Hopkins reviewed the Replat application noting staff recommended approval as conditioned. Mr. Erickson Mendoza with Bury and Partners stated he was available to answer questions.

Following the discussion, an additional condition was added: "Revise Note No. 12 to reference Lot 4 instead of Lot 4A."

**Motion:** Motion by Commissioner Leffingwell, second by Commissioner Flores to approve as conditioned.

**Vote: AYES:** Chairman Kosik, Vice Chair Pavliska, Commissioner Drapes, Commissioner Flores, Commissioner Leffingwell, Commissioner Peckham and Commissioner Yawn. Vote to approve: 7 - 0. The motion carried unanimously.

**D6. Consider public testimony and a recommendation to approve the original zoning of 2.29 acres of land, more or less, out of the Joseph Marshall Survey to OF (Office) to be known as the Red Bud Office Tract (generally located on the west side of Red Bud Ln. north of Gattis School Rd.), Case No. ZON1305-001**

Mr. von Rosenberg reviewed the original zoning application noting the requested zoning district was compatible with the surrounding properties and General Plan 2020. Staff supported the zoning of this

tract to OF (Office) District. The owner/developer Mr. Robert Fischer stated he was available to answer questions.

Chairman Kosik opened the public hearing and asked anyone wishing to speak for or against this item to come forward. Seeing no speakers, Chairman Kosik closed the public hearing.

Following the discussion, a motion was offered.

**Motion:** Motion by Commissioner Peckham, second by Commissioner Drapes to recommend approval.

**Vote: AYES:** Chairman Kosik, Vice Chair Pavliska, Commissioner Drapes, Commissioner Flores, Commissioner Leffingwell, Commissioner Peckham and Commissioner Yawn. Vote to approve: 7 - 0. The motion carried unanimously.

#### **D5. Continuation of agenda item D5**

Since the public hearing had not been opened during the discussion of D5, Chairman Kosik opened the public hearing and asked anyone wishing to speak for or against this item to please come forward. Seeing no speakers, Chairman Kosik closed the public hearing.

#### **D7. Consider public testimony and a recommendation to approve proposed amendments to the Round Rock Code of Ordinances (2010 Edition) relating to the creation of MU-1 (Mixed-Use Historic Commercial Core), MU-2 (Mixed-Use Downtown Medium Density) and MU-L (Mixed-Use Limited) Zoning Districts, Case No. AM1303-001**

Chairman Kosik reviewed the presentation and public hearing process for items D7, D8, D9 and D10.

Ms. Jordan and Mr. Dushkin reviewed the background on the proposed changes; the correlation with the General Plan Future Land Use Map (2010) and existing Downtown Zoning; recent City outreach and concerns voiced by the affected community; and proposed MU-1, MU-2 and MU-L District Boundaries. They concluded by outlining the following:

- Propose implementation of adopted Downtown Plan policies by the creation of three new mixed-use zoning districts
  - MU-1: Mixed-Use Historic Commercial Core
  - MU-2: Mixed-Use Downtown Medium Density
  - MU-L: Mixed-Use Limited
- Amend supplementary use standards as they pertain to permitted uses in these new districts
- Add relevant definitions
- Minor amendments to other chapters and sections to reflect new districts

Staff reviewed the changes made to each district since the May 15<sup>th</sup> draft ordinance, permitted uses, density and development standards and protections for existing single family homes. Staff recommended approval of the creation of the MU-1, MU-2 and MU-L Zoning Districts.

Chairman Kosik opened the public hearing and asked anyone wishing to speak for or against this item to come forward. The following Round Rock residents spoke: 1) Mr. Jesus Franco, 208 S. Blair St; and 2) Mr. Brian Cave, 1005 E. Austin Ave. Seeing no additional speakers, Chairman Kosik closed the public hearing.

Following a discussion of citizen comments and commissioner questions, the public hearing was reopened to allow additional speakers to address agenda items D7-D10. Additional speakers included the following Round Rock residents: 3) Ms. Cathey Carter, 606 Pecan Ave; 4) Gordon Perez, 8903 Glen Canyon Dr; 5) Ms. Ella Sauls Morrison, 608 Spring St; 6) Ms. Sophia Camacho Carlin representing Ms. Juana Camacho, 405 E. Fannin Ave; and 7) Scott Blake, 101 Vista Ave.

After additional discussion, a motion was offered.

**Motion:** Motion by Commissioner Leffingwell, second by Commissioner Peckham to recommend approval of the MU-1, MU-2 and MU-L Zoning Districts with the changes as discussed.

**Vote: AYES:** Chairman Kosik, Vice Chair Pavliska, Commissioner Drapes, Commissioner Flores, Commissioner Leffingwell, Commissioner Peckham and Commissioner Yawn. Vote to approve: 7 - 0. The motion carried unanimously.

**The Commission took a short recess at 8:54 pm and reconvened at 9:09 pm.**

**D8. Consider public testimony and a recommendation to approve the rezoning of a portion of the Downtown area to Mixed Use Zoning District MU-1 (Mixed-Use Historic Commercial Core) District, Case No. ZON1303-001**

Mr. Dushkin noted the staff presentation would cover agenda item D8 through D10 which, with the approval of City Council, will rezone properties. He outlined the changes to each of the rezoning districts being requested since the last Commission meeting. Ms. Jordan continued by reviewing the staff proposed recommendations for agenda items D8 though D10.

**Agenda Item D8:** Staff recommended rezoning to MU-1 in accordance with Exhibits A, C and D, and including 209 and 211 Round Rock Ave to MU-1.

**Agenda Item D9:** Staff recommended rezoning to MU-2 in accordance with Exhibits B, E, F, G and H including the following conditions: 1) Remove 209 and 211 Round Rock Ave from MU-2 rezoning; 2) Remove 19 properties on West Anderson and West Austin Avenues from MU-2 rezoning; and 3) Rezone 202 and 204 West Austin Ave. from the existing SF-2 (Single Family – Standard Lot) zoning district to OF (Office) zoning district.

**Agenda Item D10:** Staff recommended rezoning to MU-L in accordance with Exhibit I and including the following conditions: 1) Remove 507 and 509 N. Lee St; 2) Remove 406 N. Lee St. and rezone from SF-2 to C-2 (Local Commercial) zoning district; 3) Remove 508 N. Lee St. and rezone from SF-2 to OF.

Ms. Jordan concluded by outlining the review and approval schedule and by stating updates would be posted on the website as they became available.

Chairman Kosik opened the public hearing and asked anyone wishing to speak for or against this item to come forward. Seeing no speakers, Chairman Kosik closed the public hearing.

**Motion:** Motion by Vice Chair Pavliska, second by Commissioner Peckham to recommend approval of the rezoning to **MU-1 zoning district** in accordance with Exhibits A, C and D, and including the rezoning of 209 and 211 Round Rock Ave. to MU-1.

**Vote: AYES:** Chairman Kosik, Vice Chair Pavliska, Commissioner Drapes, Commissioner Flores, Commissioner Leffingwell, Commissioner Peckham and Commissioner Yawn. Vote to approve: 7 - 0. The motion carried unanimously.

**D9. Consider public testimony and a recommendation to approve the rezoning of a portion of the Downtown area to Mixed Use Zoning District MU-2 (Mixed-Use Downtown Medium Density) District, Case No. ZON1303-001**

Commissioners Frank Leffingwell and Will Peckham recused themselves from the discussion and voting on this item, stating they each own property in the downtown area.

Chairman Kosik opened the public hearing and asked anyone wishing to speak for or against this item to come forward. The following Round Rock residents spoke: 8) Mr. Brian Cave, 1005 E. Austin Ave; 9) Ms. Sophia Camacho Carlin representing Ms. Juana Camacho, 405 E. Fannin Ave; 10) Mr. Gordon Perez, 8903 Glen Canyon Dr; and 11) Ms. Cathey Carter, 606 Pecan Ave. Seeing no additional speakers, Chairman Kosik closed the public hearing.

Following the discussion, a motion was offered.

**Motion:** Motion by Commissioner Yawn, second by Commissioner Flores to recommend approval of the rezoning to MU-2 in accordance with Exhibits B, E, F, G and H including the following conditions: 1) Remove 209 and 211 Round Rock Ave from MU-2 rezoning; 2) Remove 19 properties on West Anderson and West Austin Avenues from MU-2 rezoning; and 3) Rezone 202 and 204 West Austin Ave. from the existing SF-2 to OF (Office).

**Vote: AYES:** Chairman Kosik, Vice Chair Pavliska, Commissioner Drapes, Commissioner Flores and Commissioner Yawn. Vote to approve: 5 - 0. The motion carried unanimously.

**D10. Consider public testimony and a recommendation to approve the rezoning of a portion of the Downtown area to Mixed Use Zoning District MU-L (Mixed-Use Limited) District, Case No. ZON1303-001**

Chairman Kosik opened the public hearing and asked anyone wishing to speak for or against this item to come forward. Seeing no speakers, Chairman Kosik closed the public hearing.

Following a brief discussion, a motion was offered.

**Motion:** Motion by Vice Chair Pavliska, second by Commissioner Peckham to recommend approval of the rezoning to MU-L in accordance with Exhibit I and including the following conditions: 1) Remove 507 and 509 N. Lee St; 2) Remove 406 N. Lee St. and rezone from SF-2 to C-2 (Local Commercial); 3) Remove 508 N. Lee St. and rezone from SF-2 to OF (Office)

**Vote: AYES:** Chairman Kosik, Vice Chair Pavliska, Commissioner Drapes, Commissioner Flores, Commissioner Leffingwell, Commissioner Peckham and Commissioner Yawn. Vote to approve: 7 - 0. The motion carried unanimously.

**E. PRESENTATION**

**E1. Consider a presentation and discussion regarding the Avery North PUD**

Mr. Mark Baker with SEC Planning Consultants, representing Taylor Morrison, gave a general overview of a new master planned community being proposed for the northeast portion of Round Rock. Also involved in the presentation was Mr. Adib Khoury, Vice President of Land Resources with Taylor Morrison. Being proposed for the 424 acre tract was a Planned Unit Development that would include a wide range of residential (800 to 1000 total lots) lot sizes and product types to include homes for retirees and empty nesters, some commercial along University Blvd, a couple of amenity centers with greenbelts, open space and a trail system.

**F. STAFF REPORT:**

**F1. Update on Council Actions related to Planning and Zoning Items.**

Mr. Wiseman reviewed the items recently approved by City Council.

Mr. Wiseman continued by thanking Chairman Kosik for his service to the City of Round Rock and presented him with a plaque that read, "In recognition of 28 years of appointed service to the City of Round Rock. Chairman Al Kosik. Honoring his leadership and his contributions to the citizens of Round Rock. Planning and Zoning Commission May 1985 – June 2013." Chairman Kosik received a standing ovation.

**F2. Next Planning and Zoning Commission meeting: June 19, 2013 at 7:00 pm.**

Noting the June 19<sup>th</sup> Planning and Zoning Commission meeting had been cancelled, the Commission was reminded the next meeting would be July 3, 2013.

**G. ADJOURNMENT**

There being no further discussion, the meeting adjourned at 10:34 p.m.

Respectfully Submitted,

***Original Signed***

Diane Buck, Planning Tech